

REMARKS

I. Introduction

In response to the pending Office Action, Applicants have cancelled claims 1-6, 9, 12-17 and 20-25. Claims 7 and 8 have been rewritten into independent format. Claims 10 and 11 have also been rewritten into independent format incorporating independent claim 1 therein. New claims 26 and 27 correspond to original claims 6+10 and 6+11, respectively. Claims 18 and 19 have also been rewritten into independent format incorporating independent claim 12 therein. New claims 28 and 29 correspond to original claims 17+18 and 17+19, respectively. No new matter has been added. For the reasons set forth below it is respectfully submitted that the pending claims are patentable over the cited prior art.

II. The Rejection of Claim 8 In View of Chrysanthakopoulos In View Of Kaji

Claim 8 was rejected under 35 U.S.C. § 103 as being unpatentable over USP No. 7,113,610 to Chrysanthakopoulos in view of USP No. 7,027,600 to Kaji. As recited by amended claim 8, the present invention relates to an audio information transforming method in which the audio frequency transforming step is executed by adding the Doppler effect to the audio information at the virtual listening point by using a formula by which the audio frequency transformation of the audio information at the virtual listening point prior to the final image by one image unit is executed.

Turning to the cited prior art references, in the pending rejection it is acknowledged that Chrysanthakopoulos fails to disclose the foregoing element of the claim, and Kaji is relied on as curing the defect of Chrysanthakopoulos. Specifically, col. 12, eq. 9 of Kaji is cited as doing so. However, Kaji appears silent with regard to a formula by which the audio frequency

transformation of the audio information at the virtual listening point prior to the final image by one image unit is executed. As such, at a minimum, the combination of Chrysanthakopoulos and Kaji fail to disclose this element of amended claim 8.

Accordingly, as each and every limitation must be disclosed or suggested in order to establish a *prima facie* case of obviousness (*see*, M.P.E.P § 2143.03), and the combination of Chrysanthakopoulos and Kaji fail to do so, it is submitted that claim 8 is patentable over the combination of Chrysanthakopoulos and Kaji.

III. Rejection of Claims 10-11 In View of Chrysanthakopoulos In View Of Kaji And Chi

Claims 10 and 11 were rejected under 35 U.S.C. § 103 as being unpatentable over USP No. 7,113,610 to Chrysanthakopoulos in view of USP No. 7,027,600 to Kaji and further in view of USP Pub. No. 2003/0044026 to Chi.. As recited by amended claims 10 and 11, claim 10 recites in part that the format comprises velocity information of an object, which is one of objects included on a screen; velocity information and direction information of a scene which is replayed on the screen; and reduced scale information of the screen every scene. Claim 11 recites in part that the encoder encoding velocity information of an object, which is one of objects included in a screen; velocity information and direction information of a scene; and reduced scale information of the screen every scene. At a minimum, it does not appear that any of the foregoing prior art references disclose or suggest processing reduced scale information of the screen every scene. As such, the combination of cited prior does not disclose or suggest each and every limitation of the pending claims, and therefore does not establish a *prima facie* case of obviousness.

IV. Rejection of Claim 7 In View of Chrysanthakopoulos In View Of Kaji And Cooklev

Claim 7 was rejected under 35 U.S.C. § 103 as being unpatentable over USP No. 7,113,610 to Chrysanthakopoulos in view of USP No. 7,027,600 to Kaji and further in view of USP No. 6,633,617 to Cooklev. Claim 7 recites in part the step of audio frequency transforming of executing an audio frequency transformation based on the relative velocity to add a Doppler effect to the audio information at the virtual listening point, wherein, when the audio information including the Doppler effect previously is included in the object, the audio frequency transforming step executes an audio frequency transformation to cancel the Doppler effect included in the audio information of the object, and executes the audio frequency transformation based on the relative velocity to add the Doppler effect to the audio information of the virtual listening point.

In the pending rejection it is acknowledged Chrysanthakopoulos and Kaji fail to disclose the cancellation of the Doppler effect in the audio information of the object, and relies upon Cooklev as disclosing this feature of the claim. However, Cooklev merely indicates that the cancellation of the Doppler effect can be accomplished. Applicants are not intending to claim the cancellation of the Doppler effect from a signal as novel. It is the overall process recited by claim 7 that the applicants deem as novel. None of the cited references disclose or suggest the step of audio frequency transforming of executing an audio frequency transformation based on the relative velocity to add a Doppler effect to the audio information at the virtual listening point, wherein, when the audio information including the Doppler effect previously is included in the object, the audio frequency transforming step executes an audio frequency transformation to cancel the Doppler effect included in the audio information of the object, and executes the audio frequency transformation based on the relative velocity to add the Doppler effect to the audio

information of the virtual listening point, as recited by claim 7, or the advantages associated therewith. There is simply no basis to rely on Cooklev absent impermissible hindsight upon review of the Applicants' specification which is clearly improper. As such, Applicants respectfully submit that the proposed combination of Chrysanthakopoulos, Kaji and Cooklev is improper, and request that the rejection of claim 7 be withdrawn.

V. The Rejection Of Claims 18 and 19

Claim 18 was rejected was rejected under 35 U.S.C. § 103 as being unpatentable over USP No. 7,113,610 to Chrysanthakopoulos in view of USP Pub. No. 2003/0044026 to Chi and further in view of USP No. 6,633,617 to Cooklev. Claim 19 was rejected under 35 U.S.C. § 103 as being unpatentable over USP No. 7,113,610 to Chrysanthakopoulos in view of USP Pub. No. 2003/0044026 to Chi.

Claims 18 and 19 recite similar elements as claims 7 and 8, respectively. Turning to the cited prior art, it is noted that none of the cited references appear to disclose or suggest the elements of claims 18 and 19 for at least the same reasons as discussed above with regard to the rejection of claims 7 and 8. Chi does not appear to cure any of the foregoing deficiencies, nor is Chi relied upon as doing so. As such, it is respectfully submitted that claims 18 and 19 are patentable over Chrysanthakopoulos, Chi and Cooklev, taken alone or in combination with one another. Thus, it is respectfully requested that the pending rejection be withdrawn.

VI. New Claims 26-29

It is submitted that new claims 26-29 are allowable for at least the same reasons as claims 10, 11, 18 and 19 as discussed above.

VII. Conclusion

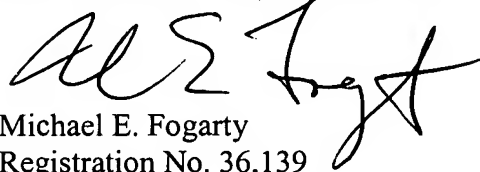
Having fully responded to all matters raised in the Office Action, Applicants submit that all claims are in condition for allowance, an indication for which is respectfully solicited.

If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT, WILL & EMERY

A handwritten signature in black ink, appearing to read "Michael E. Fogarty", is written over the printed name.

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Date: August 17, 2007